



## JUDICIAL COUNCIL OF CALIFORNIA MEETINGS

Open to the Public Unless Indicated as Closed (Cal. Rules of Court, rule 10.6(a))

Ronald M. George State Office Complex

William C. Vickrey Judicial Council Conference Center

Malcolm M. Lucas Board Room

455 Golden Gate Avenue • San Francisco, California 94102-3688

**Thursday, April 24, 2014 • 12:30 p.m.–5:30 p.m.**

**Friday, April 25, 2014 • 8:30 a.m.–3:35 p.m.**

Meeting materials will be hyperlinked to agenda titles as soon as possible after receipt by Judicial Council Support Services. Please check the agenda at <http://www.courts.ca.gov/25710.htm> for recent postings of hyperlinked reports.

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### THURSDAY, APRIL 24, 2014 AGENDA

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#### OPEN MEETING (RULE 10.6(A))—EDUCATIONAL AND BUSINESS MEETING AGENDA (DISCUSSION ITEMS 1–7 AND NEW ITEM)

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- 12:30–12:40 p.m. Swearing in of New Council Member**  
The Chief Justice will administer the oath of office to a new council member.
- 12:40–12:45 p.m. [Approval of Minutes](#)**  
Approve minutes of the February 20, 2014, Judicial Council meeting.
- 12:45–12:55 p.m. Chief Justice's Report**  
Chief Justice Tani G. Cantil-Sakauye will report.
- 12:55–1:05 p.m. [Administrative Director's Report](#)**  
Hon. Steven Jahr, Administrative Director of the Courts, will report.

*NOTE: Time is estimated. Actual start and end times may vary.*

### **Public Comment**

The Judicial Council welcomes public comment, as it can enhance the council's understanding of the issues coming before it. To accommodate members of the public, the Judicial Council encourages those who wish to comment at the meeting, on either a specific agenda item or on a more general topic of judicial administration, to provide notice in order to ensure that all requests are acknowledged during the meeting.

Notice can be provided in two ways:

1) Written notice by **4 p.m., Tuesday, April 22, 2014,**

- by e-mail to [judicialcouncil@jud.ca.gov](mailto:judicialcouncil@jud.ca.gov), or
- by postal mail or delivery in person to:  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, California 94102-3688  
Attention: Cliff Alumno

In the notice, please state the speaker's first and last name and the specific agenda item to be addressed or, if not on the agenda, the topic to be addressed.

2) Sign in at the meeting reception, on the day of the meeting

- before the call for general public comment on April 25, or
- before the specific agenda item of interest is introduced on either April 24 or 25.

All requests will be allocated three minutes.

Please note that anyone wishing to speak on a specific agenda topic should arrive at the beginning of the meeting on which the agenda item will be heard, as agenda times are subject to change.

The Judicial Council is the policy-making body for the judicial branch. Comments pertaining to a specific court case will not be received.

### **Written Comments Received**

Written comments pertaining to a matter affecting judicial administration or an item on this agenda may be e-mailed to [judicialcouncil@jud.ca.gov](mailto:judicialcouncil@jud.ca.gov), or mailed or delivered to:

Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, California 94102-3688  
Attention: Cliff Alumno

Written comments received by **1 p.m. on Wednesday, April 23, 2014**, will be distributed to council members at the meeting. All comments received will be posted directly to the public Judicial Council web page.

**Item 1 1:05–2:35 p.m.**

**Judicial Administration: Judicial Council Advisory Body Meetings (Action Required)**

The chairs of the Judicial Council’s five internal committees recommend the adoption of a new rule of court that would provide greater public access to meetings of the council’s internal and advisory committees and of other multimember bodies that review issues and report to the council. The rule recognizes the importance of open public meetings, especially on matters concerning the judicial branch budget. The rule is intended to balance the importance of open meetings with significant judicial branch concerns, including ethical constraints on the judicial officers who participate on such bodies, staffing and other resource limitations, and the need to maintain an effective rule-making process.

*Public Comment and Presentation (60 minutes) • Discussion (30 minutes)*

Speakers: Hon. Douglas P. Miller, Chair Executive and Planning Committee  
Hon. Harry E. Hull Jr., Chair Rules and Projects Committee  
Hon. Kenneth K. So, Chair Policy Coordination and Liaison Committee  
Hon. Mary Ann O'Malley, Chair Litigation Management Committee  
Hon. James E. Herman, Chair Technology Committee

**Break 2:35–2:50 p.m. (approx.)**

**Item 2 2:50–3:20 p.m.**

**Trial Courts: Allocations From the State Trial Court Improvement and Modernization Fund (Action Required)**

For fiscal year 2014–2015, the Trial Court Budget Advisory Committee recommends allocating \$78.372 million in funding from the State Trial Court Improvement and Modernization Fund for various trial court–related projects and programs.

*Public Comment and Presentation (15 minutes) • Discussion (15 minutes)*

Speakers: Hon. Laurie Earl, Co-Chair, Trial Court Budget Advisory Committee  
Mr. Zlatko Theodorovic, Co-Chair, Trial Court Budget Advisory Committee

**Item 3            3:20–3:40 p.m.**

**[Trial Court Allocations: Workload-Based Allocation and Funding Methodology Adjustment Process \(Action Required\)](#)**

The TCBAC recommends the Judicial Council deny the request of the Superior Court of California, County of Mendocino under the Workload-Based Allocation and Funding Methodology Adjustment Process.

*Public Comment and Presentation (10 minutes) • Discussion (10 minutes)*

Speakers:            Hon. Laurie Earl, Cochair, Trial Court Budget Advisory Committee  
                              Mr. Zlatko Theodorovic, Cochair, Trial Court Budget Advisory Committee

**Item 4            3:40–4:05 p.m.**

**[Budget: New Fiscal Year 2014–2015 Request for Trial Courts \(Action Required\)](#)**

The TCBAC recommends that the Judicial Council direct the Administrative Office of the Courts to prepare and submit to the state Department of Finance a fiscal year 2014–2015 Spring Finance Letter that requests a \$70 million General Fund ongoing augmentation to the Trial Court Trust Fund (TCTF) to address a projected shortfall in civil fee- and criminal case-related revenue in the TCTF that supports trial courts' allocations for operations. In addition, the TCBAC recommends that the Judicial Council, beginning in FY 2014–2015, no longer allocate \$29.4 million from the TCTF for benefit cost increases related to FY 2012–2013 that were funded only in FY 2012–2013 from the General Fund.

*Public Comment and Presentation (15 minutes) • Discussion (10 minutes)*

Speakers:            Hon. Laurie Earl, Cochair, Trial Court Budget Advisory Committee  
                              Mr. Zlatko Theodorovic, Cochair, Trial Court Budget Advisory Committee

**Item 5            4:05–4:40 p.m.**

**[Trial Court Allocations: Maximum Reimbursement of Unused Savings from Program 45.45 for Court Interpreter Expenditures \(Action Required\)](#)**

The TCBAC presents recommendations for a methodology to reimburse trial courts from unspent savings in the Trial Court Trust Fund Program 45.45 for court interpreter services in domestic violence cases, family law cases in which there is a domestic violence issue, and elder or dependent adult abuse cases, as well as civil cases in which parties are indigent. This report is presented in response to direction from the Judicial Council in January 2014 that TCBAC prepare and present recommendations on this issue at the April council meeting.

*Public Comment and Presentation (15 minutes) • Discussion (20 minutes)*

Speakers:            Hon. Laurie Earl, Cochair, Trial Court Budget Advisory Committee  
                              Mr. David Yamasaki, Chair, Court Executives Advisory Committee  
                              Mr. Zlatko Theodorovic, Fiscal Services Office

**New Item 4:40–4:50 p.m.**

**Judicial Branch Report to the Legislature: \$60 Million Augmentation in the 2013 Budget Act (Action Required)**

The Administrative Office of the Courts (AOC) recommends approval of the attached report, *\$60 Million Augmentation in the 2013 Budget Act: Individual Court Plans Including Activities Intended to Maintain or Increase Public Access to Justice*. This report is required by Provision 12 of item 0250-101-0001 of the Budget Act of 2013.

*Public Comment and Presentation (5 minutes) • Discussion (5 minutes)*

Speakers: Hon. Steven Jahr, Administrative Director of the Courts  
Mr. Cory Jaspersen, Office of Governmental Affairs

**Item 6 4:50–5:25 p.m.**

**Judicial Branch Education: 2014–2016 Education Plan (Action Required)**

The Governing Committee of the Center for Judicial Education and Research (CJER) recommends approving the 2014–2016 Education Plan, effective July 1, 2014. Developed by the CJER Governing Committee for all the judicial branch audiences that CJER serves, this education plan contains training and education programs and products that enable those audiences to fulfill the education requirements and expectations outlined in rules 10.451–10.491 of the California Rules of Court.

*Public Comment and Presentation (15 minutes) • Discussion (20 minutes)*

Speakers: Hon. Robert Dondero, Chair, CJER Governing Committee  
Dr. Diane Cowdrey, Center for Judiciary Education and Research

**Item 7 5:25–5:30 p.m.**

**Judicial Council Report to the Legislature: Supplementary Schedule of Operating Expenses and Equipment for Fiscal Year 2013–2014 (Action Required)**

In compliance with the Legislative Analyst’s Office Supplemental Report of the 2010–2011 Budget Package, this report conveys to the Legislature the AOC’s *Supplementary Schedule of Operating Expenses and Equipment for Fiscal Year 2013–2014*. The information contained in the report was obtained from the AOC accounting system and technical budget schedules submitted to the Department of Finance as part of the 2014–2015 annual budget development process.

*Presentation (5 minutes)*

Speaker: Mr. Zlatko Theodorovic, Fiscal Services Office

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## FRIDAY, APRIL 25, 2014 AGENDA—BUSINESS MEETING

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**8:30–9:15 a.m.      Judicial Council Committee Presentations**

**[under Committee Reports Tab]**

Policy Coordination and Liaison Committee

Hon. Kenneth K. So, Chair

Executive and Planning Committee

Hon. Douglas P. Miller, Chair

Rules and Projects Committee

Hon. Harry E. Hull, Jr., Chair

Technology Committee

Hon. James E. Herman, Chair

**9:15–9:40 a.m.      Judicial Council Members' Liaison Reports**

Judicial Council members will report on their liaison work.

**9:40–10:10 a.m.      Public Comment**

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## CONSENT AGENDA (ITEMS A1–A10 THROUGH F)

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*A council member who wishes to request that any item be moved from the Consent Agenda to the Discussion Agenda is asked to please notify Nancy Carlisle at 415-865-7614 at least 48 hours before the meeting.*

**ITEMS A1–A10      RULES AND FORMS**

***Appellate***

**Item A1    Judicial Administration: Membership of Appellate Advisory Committee**  
**(Action Required)**

The Appellate Advisory Committee recommends amending the rule that establishes the membership of the committee to add a new membership category for an appellate lawyer of the Court of Appeal or Supreme Court.

Hon. Raymond J. Ikola, Chair, Appellate Advisory Committee

Ms. Heather Anderson, Legal Services Office

***Civil and Small Claims***

**Item A2    Civil Forms: Revision of Wage Garnishment Forms to Reflect Change in**  
**Minimum Wage (Action Required)**

*NOTE: Time is estimated. Actual start and end times may vary.*

The Civil and Small Claims Advisory Committee recommends the amendment of two wage garnishment forms. Assembly Bill 10 (Stats. 2013, chap. 351) increases the minimum wage effective July 1, 2014. This change in minimum wage will change the maximum amount of a judgment debtor's earnings that may be garnished under an earning withholding order. Two mandatory Judicial Council forms, *Earning Withholding Order (Wage Garnishment)* (form WG- 002) and *Earnings Withholding Order for Elder or Dependent Adult Financial Abuse (Wage Garnishment)* (form WG-030) include instructions to employers describing the maximum amounts that may be garnished. These forms should be amended effective July 1, 2014, so that they will describe the correct amounts to be garnished based on the increased minimum wage. No other changes are recommended.

Hon. Patricia M. Lucas, Chair, Civil and Small Claims Advisory Committee

Ms. Anne M. Ronan, Legal Services Office

#### **Item A3 Civil Forms: Name Change and Gender Change Petitions (Action Required)**

The Civil and Small Claims Advisory Committee recommends that several Judicial Council name change forms be amended. Recently enacted Assembly Bill 1121 (Stats. 2013; ch. 651) made several changes in the laws regarding certain petitions for name changes and for changes of gender and issuance of new birth certificates, effective July 1, 2014. Revisions to the Judicial Council forms are required in order for the forms to properly reflect the new statutory requirements in the courts, in particular the elimination of the publication requirement when a petitioner seeks to change his or her name to conform to a change in gender identity and the elimination of the requirement for a court order for issuance of a new birth certificate by the State Registrar reflecting a change of sex.

Hon. Patricia M. Lucas, Chair, Civil and Small Claims Advisory Committee

Ms. Anne M. Ronan, Legal Services Office

#### **Item A4 Restraining Orders: Update Forms to Reflect Recent Changes in the Law (Action Required)**

The Civil and Small Claims Advisory Committee recommends that the Judicial Council revise 34 restraining order forms to reflect recent changes in the law.

Hon. Patricia M. Lucas, Chair, Civil and Small Claims Advisory Committee

Ms. Anne M. Ronan, Legal Services Office

### ***Criminal Law***

#### **Item A5 Criminal Procedure: Criminal Protective Order Forms (Action Required)**

The Criminal Law Advisory Committee recommends revising the Judicial Council criminal protective order forms, *Criminal Protective Order—Domestic Violence* (form CR-160), *Criminal Protective Order—Other Than Domestic Violence* (form CR-161), *Order to Surrender Firearms in Domestic Violence Case* (form CR-162), and *Notice of Termination of Protective Order in Criminal Proceeding* (form CR-165). The recommended revisions are in

response to a rule of court that addresses firearm relinquishment hearings and to recent legislation that expands court authority to issue criminal protective orders, authorizes courts to order electronic monitoring in specified circumstances, prescribes a new firearm relinquishment option, and clarifies enforcement priorities for no-contact orders in criminal and civil protective orders. The committee also recommends several revisions to the forms' content, format, instructions, and advisements.

Hon. Tricia Ann Bigelow, Chair, Criminal Law Advisory Committee

Ms. Eve Hershkopf, Criminal Justice Court Services Office

### ***Family and Juvenile Law***

#### **Item A6 Domestic Violence: Firearms Relinquishment in Family and Juvenile Law Restraining Order Cases (Action Required)**

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council adopt rule 5.495 of the California Rules of Court to provide a procedure for courts issuing family and juvenile law domestic violence restraining orders to determine whether a restrained person has complied with the court's order to relinquish any prohibited firearms the restrained person owns, possesses, or controls, as specified in Family Code section 6389(c). The statute provides no guidance for courts to determine compliance with relinquishment orders, and the proposed rule provides a statewide framework for implementing section 6389 while allowing for the development of local procedures.

Hon. Jerilyn L. Borack and Hon. Kimberly J. Nystrom-Geist, Cochairs, Family and Juvenile Law Advisory Committee

Ms. Tamara Abrams, Center for Families, Children & the Courts

#### **Item A7 Domestic Violence: Changes to Rule and Forms for Family and Juvenile Law Restraining Orders (Action Required)**

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective July 1, 2014, amend a juvenile law rule and revise restraining order forms used in Domestic Violence Prevention Act and juvenile law cases to implement recently enacted legislation and to respond to suggestions from judicial officers, court professionals, and members of the public.

Hon. Jerilyn L. Borack and Hon. Kimberly J. Nystrom-Geist, Cochairs, Family and Juvenile Law Advisory Committee

Ms. Tamara Abrams and Ms. Kerry Doyle, Center for Families, Children & the Courts

#### **Item A8 Juvenile Law: Remote Filing (Action Required)**

The Family and Juvenile Law Advisory Committee recommends amending rule 5.522 of the California Rules of Court to (1) allow for the electronic filing of documents in juvenile dependency and delinquency court proceedings, consistent with rule 2.252 et seq. and section 1010.6 of the Code of Civil Procedure, and (2) clarify and update the fax filing portions of



the rule. The committee also recommends a delayed effective date of January 1, 2015, to allow courts time to develop or revise local rules. The Trial Court Presiding Judges and the Court Executives Advisory Committees suggested allowing for the electronic filing of documents in juvenile court proceedings as a means of improving court efficiency, achieving costs savings, and incorporating modern technology.

Hon. Jerilyn L. Borack and Hon. Kimberly J. Nystrom-Geist, Cochairs, Family and Juvenile Law Advisory Committee

Ms. Audrey Fancy, Center for Families, Children & the Courts

### ***Miscellaneous***

#### **Item A9 Judicial Branch Education: Trial Court Employee Education (Action Required)**

The Rules and Projects Committee (RUPRO) recommends that the Judicial Council amend rule 10.474, which addresses education for trial court managers, supervisors, and other personnel. The amendments respond to direction given to RUPRO by the council in August 2012 to evaluate relaxation of mandatory education requirements to allow court executive officers greater discretion and flexibility in utilizing their workforces during times of budget constraints.

Hon. Harry E. Hull, Jr., Chair, Rules and Projects Committee

Ms. Susan R. McMullan, Legal Services Office

#### **Item A10 Rules and Forms: Miscellaneous Technical Changes (Action Required)**

Court personnel and members of the public have identified modifications that need to be made to certain forms for them to conform to the law and have pointed out an ambiguity in the language of a recently amended ethics standard that needs to be clarified. The Administrative Office of the Courts recommends making the necessary corrections to avoid confusion for court users, clerks, and judicial officers.

Mr. Patrick O'Donnell and Ms. Susan R. McMullan, Legal Services Office

#### **Item B Access to Visitation Grant Program: New Funding Methodology (Action Required)**

The Family and Juvenile Law Advisory Committee recommends approving the proposed new funding methodology for California's Access to Visitation Grant Program, effective federal fiscal year 2015–2016, which begins on April 1 and ends on March 31. The proposed new funding methodology is proposed in response to the Judicial Council's directive to (1) create an Access to Visitation Stakeholder Workgroup charged with proposing new funding options for fiscal year 2015–2016; and (2) make final recommendations to the council on ways to streamline the grant application processes and develop alternatives that more equitably distribute funding while maintaining program objectives.

Hon. Jerilyn L. Borack and Hon. Kimberly J. Nystrom-Geist, Cochairs, Family and Juvenile Law Advisory Committee

Ms. Shelly La Botte and Ms. Anna L. Maves, Center for Families, Children & the Courts

**Item C Child Support: Midyear Funding Reallocation for Fiscal Year 2013–2014 and Base Funding Allocation for Fiscal Year 2014–2015 for the Child Support Commissioner and Family Law Facilitator Program (Action Required)**

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council approve the reallocation of funding for the Child Support Commissioner and Family Law Facilitator Program for the remainder of fiscal year (FY) 2013–2014. Additionally, the committee recommends that the Judicial Council approve the allocation of funding for this same program for FY 2014–2015, as required by Assembly Bill 1058 (Stats. 1996, ch. 957). The funds are provided through a cooperative agreement between the California Department of Child Support Services and the Judicial Council. At midyear, under an established procedure described in the standard agreement with each superior court, the Judicial Council redistributes to courts with a documented need for additional funds any unallocated funds and any available funds from courts that are projected not to spend their full grants that year. The courts are also offered an option to use local court funds up to an approved amount to draw down, or qualify for, federal matching funds.

Hon. Jerilyn L. Borack and Hon. Kimberly J. Nystrom-Geist, Cochairs, Family and Juvenile Law Advisory Committee

Mr. Michael Wright, Center for Families, Children & the Courts

**Item D Judicial Council Report to the Legislature and the Department of Finance: 2 Percent Set-Aside in the Trial Court Trust Fund for FY 2013–2014 (Action Required)**

The AOC recommends that the Judicial Council approve the Report on the Allocation of the 2 Percent Set-Aside in the Trial Court Trust Fund for FY 2013–2014. Government Code section 68502.5(c)(2)(C) requires that the Judicial Council report to the Legislature and the Department of Finance each fiscal year regarding all requests and allocations made from the 2 percent set-aside in the Trial Court Trust Fund to the superior courts.

Mr. Zlatko Theodorovic, Fiscal Services Office

Mr. Patrick Ballard, Fiscal Services Office

**Item E Judicial Branch Report to the Legislature: Electronic Recording Equipment (Action Required)**

The AOC recommends approving the Report on Purchase or Lease of Electronic Recording Equipment by Superior Courts (July 1–December 31, 2013). Government Code section 69958 requires that the Judicial Council report to the Legislature semiannually on all purchases and leases of electronic recording equipment that will be used to record superior court proceedings.

Mr. Zlatko Theodorovic, Fiscal Services Office

Mr. Patrick Ballard, Fiscal Services Office

**Item F Judicial Council–Sponsored Legislation: Amend Civil Restraining Order Statutes to Clarify Procedures for Continuance of Hearings (Action Required)**

The Policy Coordination and Liaison Committee and Civil and Small Claims Advisory Committee recommend the Judicial Council sponsor legislation to amend the statutes on civil restraining orders to clarify and improve the procedures for continuing hearings.

Hon. Patricia M. Lucas, Chair, Civil and Small Claims Advisory Committee

Mr. Bruce Greenlee and Mr. Patrick O’Donnell, Legal Services Office

**Break 10:10–10:25 a.m. (approx.)**

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**EDUCATIONAL AGENDA (ITEMS G–H)**

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**Item G 10:25 a.m.–12:10 p.m. (There are no materials for this item. There is no action required.)**

**Criminal Justice Realignment: Introduction and Background**

The Criminal Justice Realignment, enacted in 2011, marked one of the most significant changes in criminal law in the last thirty years. Presenters will provide a brief overview of the law and will highlight the sentencing changes and new roles and responsibilities of the courts.

*Presentation (10 minutes)*

Speakers: Hon. Tricia Bigelow, Chair, Criminal Law Advisory Committee  
Hon. J. Richard Couzens (Ret.), Superior Court of California, County of Placer

**Criminal Justice Realignment: What’s Happening Locally–Perspectives of State and Local Government**

Representatives of the state and local government will discuss their roles, efforts, and observations related to implementation of the Realignment.

*Presentation (35 minutes)*

Speakers: Ms. Linda Penner, Chair, Board of State and Community Corrections  
Ms. Karen Pank, Executive Director, Chief Probation Officers of California  
Mr. Nick Warner, Policy Director, California State Sheriff’s Association

Ms. Elizabeth Howard-Espinosa, Legislative Advocate, California State Association of Counties

### **Criminal Justice Realignment: Judicial Council Advisory Committee Panel**

The committee chairs of the advisory committees and liaison to the AOC Criminal Justice Court Services Office will provide updates on initiatives, proposed positions on realignment-related legislation, and recent discussions related to the realignment including the perspectives and challenges of the trial courts as discussed at the January 31, 2014, Trial Court Presiding Judges Advisory Committee meeting.

*Presentation (25 minutes)*

Speakers:        Hon. Tricia Bigelow, Chair, Criminal Law Advisory Committee  
                         Hon. Morris Jacobson, Judicial Council Liaison to Criminal Justice Court Services Office  
                         Hon. Richard Vlavianos, Chair, Collaborative Justice Advisory Committee  
                         Hon. Brian Walsh, Chair, Trial Court Presiding Judges Advisory Committee

### **Criminal Justice Realignment: Post-Realignment Innovative Programs and Practices**

After the passage of the realignment many courts established or expanded existing programs as they worked with justice system partners to address local needs. This panel will discuss three programs that are currently operating in California.

*Presentation (25 minutes)*

Speakers:        Hon. John Kennedy, Superior Court of California, County of Contra Costa  
   *Use of Split Sentences*  
                         Hon. Desiree Bruce-Lyle, Superior Court of California, County of San Diego  
   *Reentry Courts for Parolees and Offenders on Mandatory Supervision and Post-Release Community Supervision*  
                         Hon. Brian Back, Superior Court of California, County of Ventura  
   *Pretrial Release Programs*

### **Criminal Justice Realignment: Final Comments/Next Steps**

*Presentation (10 minutes)*

Speaker:        Hon. J. Richard Couzens (Ret.), Superior Court of California, County of Placer

**Item H        12:10–12:25 p.m.**

**Odyssey Case Management System Deployment (There are no materials for this item. There is no action required.)**

As part of the March 27, 2012 Judicial Council action to stop the deployment of CCMS V4 as a statewide case management system, the council directed the Technology Committee to help the early adopter court (San Luis Obispo) with its case management system. The court selected the

Tyler Technologies Odyssey case management system. The court went live with the new system in January 2014. Hon. Dodie A. Harman, Presiding Judge, San Luis Obispo Superior Court, will provide an update on the court's deployment of the Odyssey Case Management System, as well as a demonstration.

*Public Comment and Presentation (10 minutes) • Discussion (5 minutes)*

Speakers: Hon. James E. Herman, Chair, Judicial Council Technology Committee  
Hon. Dodie A. Harman, Presiding Judge, Superior Court of California, County of San Luis Obispo  
Ms. Susan Matherly, Superior Court of California, County of San Luis Obispo

**Lunch 12:25–12:55 p.m. (approx.)**

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## **DISCUSSION AGENDA (ITEMS I–O)**

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**Item I 12:55–1:15 p.m.**

**[Court Facilities: AOC Judicial Branch Capital Program Office's Capital Program Management Manual \(Action Required\)](#)**

The Court Facilities Advisory Committee recommends that the Judicial Council approve the AOC's *Judicial Branch Capital Program Management Manual* to guide the strategic management of the judicial branch's courthouse construction program. This manual has been prepared at the Judicial Council's direction as one of the recommendations of the *California Courthouse Capital Program Management Audit Report* prepared by Pegasus Global Holdings, Inc., which was adopted by the council in October 2012.

*Public Comment and Presentation (15 minutes) • Discussion (5 minutes)*

Speakers: Hon. Brad R. Hill, Chair, Court Facilities Advisory Committee  
Hon. Patricia M. Lucas, Vice-Chair, Court Facilities Advisory Committee and Chair, Independent Outside Oversight Consultant Subcommittee

**Item J 1:15–1:25 p.m.**

**[Court Facilities: Revised Courthouse Naming Policy \(Action Required\)](#)**

The Court Facilities Advisory Committee recommends the Judicial Council adopt the revised *Courthouse Naming Policy* and approve the standard names of new courthouses that are completed or presently in construction. This revision replaces the current, interim policy that was adopted on behalf of the Judicial Council by the Executive and Planning Committee (E&P) in 2009.

*Public Comment and Presentation (5 minutes) • Discussion (5 minutes)*

Speakers: Hon. Brad R. Hill, Chair, Court Facilities Advisory Committee

***NOTE: Time is estimated. Actual start and end times may vary.***

Hon. Samuel K. Feng, Chair of the Subcommittee on Courthouse Names

**Item K 1:25–2:00 p.m.**

**Trial Court Efficiencies: Task Force on Trial Court Fiscal Accountability Efficient and Effective Program Recommendations (Action Required)**

The Task Force on Trial Court Fiscal Accountability (TFTCFA) was created by the Judicial Council to focus on identifying efficient and effective trial court programs and practices that provide greater access to justice. In response to this charge, the TFTCFA recommends that the Judicial Council approve the development and implementation of a web-based Innovation Knowledge Center (Knowledge Center) as a means of highlighting and sharing innovative, efficient and effective trial court programs with the goal of encouraging the replication of these programs as appropriate in courts across the state.

*Public Comment and Presentation (20 minutes) • Discussion (15 minutes)*

Speakers: Hon. Brian Walsh, Chair, Task Force on Trial Court Fiscal Accountability  
Hon. Marsha Slough, Vice-Chair, Task Force on Trial Court Fiscal Accountability

**Item L 2:00–2:20 p.m.**

**Judicial Branch Administration: Audit Report for Judicial Council Acceptance (Action Required)**

The Advisory Committee on Financial Accountability and Efficiency for the Judicial Branch (A&E) and the AOC recommend that the Judicial Council accept the audit report entitled *Audit of the Superior Court of California, County of Yuba*. This acceptance is consistent with the policy approved by the Judicial Council on August 27, 2010, which specifies Judicial Council acceptance of audit reports as the last step to finalization of the reports before their placement on the California Courts public website to facilitate public access. Acceptance and publication of these reports promote transparent accountability and provide the courts with information to minimize future financial, compliance, and operational risk.

*Public Comment and Presentation (10 minutes) • Discussion (10 minutes)*

Speakers: Hon. Richard D. Huffman, Chair, Financial Accountability and Efficiency for the Judicial Branch Advisory Committee  
Mr. John Judnick, AOC Internal Audit Services Office

**Break 2:20–2:35 p.m. (approx.)**

**Item M 2:35–2:55 p.m.**

**CEQA Actions: Rules to Implement Senate Bill 743 (Action Required)**

The Civil and Small Claims Advisory Committee and the Appellate Advisory Committee recommend adopting new rules of court and amending existing rules to fulfill the Judicial Council’s obligation under recently enacted legislation to adopt rules on or before July 1, 2014, to implement expedited procedures for resolution of actions or proceedings under the California Environmental Quality Act attacking certain large development projects.

*Public Comment and Presentation (10 minutes) • Discussion (10 minutes)*

Speakers: Hon. Raymond J. Ikola, Chair, Appellate Advisory Committee  
Hon. Steven A. Brick, Vice Chair, Civil and Small Claims Advisory Committee  
and Cochair, Senate Bill 743 CEQA Joint Subcommittee  
Ms. Anne M. Ronan, Legal Services Office

**Item N 2:55–3:15 p.m.**

**AOC Restructuring: Policy 8.9, Working Remotely (Telecommuting) Pilot Program—One Year Update (Action Required)**

Recognizing the benefits of telecommute programs, legislation at the federal level and in the state of California encourages telecommute programs for government employees in positions where telecommuting is viable. The Administrative Director of the Courts recommends that the Judicial Council consider and select one of four options concerning telecommuting for employees of the AOC: 1) Approve the pilot program as a regular telecommute program, with the current additional controls for approving, monitoring, and rescinding participation; 2) Extend the current pilot telecommute program an additional year; 3) Eliminate regular telecommuting and allow only limited, ad hoc telecommuting under special circumstances; or 4) Eliminate all forms of telecommuting.

*Public Comment and Presentation (10 minutes) • Discussion (10 minutes)*

Speakers: Hon. Steven Jahr, Administrative Director of the Courts  
Mr. Kenneth R. Couch, Human Resources Services Office

**Item O 3:15–3:35 p.m.**

**AOC Restructuring: Efficiencies and Restructuring at the Legal Services Office (No Action Required)**

The Legal Services Office (LSO) is an office of the AOC under the Judicial Council and Court Leadership Services Division. The mission of LSO is to provide quality, timely, and ethical legal advice and services to the Chief Justice, the Judicial Council, council advisory committees and task forces, the appellate and trial courts, and the AOC. The Judicial Council has charged the office with providing “consistent, comprehensive legal support and counsel to the courts.” (Judicial Council of Cal./Admin. Off. of Cts., *Justice in Focus: The Strategic Plan for California’s Judicial Branch 2006–2012* (2006), p. 49.) In response to Judicial Council

restructuring directives and the recommendations of the Judicial Council liaisons to LSO, the office has been significantly restructured. This informational report summarizes the activities undertaken in response to the June 2013 recommendations of the Judicial Council liaisons.

*Public Comment and Presentation (10 minutes) • Discussion (10 minutes)*

Speakers: Hon. Steven Jahr, Administrative Director of the Courts  
Ms. Jody Patel, Chief of Staff  
Ms. Deborah C. Brown, Legal Services Office

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## INFORMATION ONLY ITEMS (NO ACTION REQUIRED)

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### **[INFO 1 Judicial Council: Implementation of Judicial Council Directives on AOC Restructuring](#)**

The Chair of E&P presents this informational report on the implementation of the Judicial Council AOC Restructuring Directives, as approved by the council on August 31, 2012. The AOC Restructuring Directives specifically direct the Administrative Director of the Courts to report to E&P before each Judicial Council meeting on every directive. This informational report provides an update on the progress of implementation efforts.

### **[INFO 2 Government Code Section 68106: Public Notice by Courts of Closures or Reduced Clerks' Office Hours \(Gov. Code, § 68106—Report No. 24\)](#)**

Government Code section 68106 directs (1) trial courts to notify the public and the Judicial Council before closing courtrooms or clerks' offices or reducing clerks' regular office hours, and (2) the council to post all such notices on its website and also relay them to the Legislature. This is the 24th report to date listing the latest court notices received by the council under this statutory requirement; since the previous report, two superior courts— those of Plumas and Merced Counties—have issued new notices.

**There were no Circulating Orders since the last business meeting.**

**[Appointment Orders since the last business meeting.](#)**